

### **REMARKS**

Claims 1-18 are pending in the present application. The Applicants would like to thank the Examiner for withdrawing the previous rejection under 35 U.S.C. §103(a) over Japanese Patent No. 2002-88138 and acknowledging that there is no motivation in the reference or by any other reasoning to select a particular oligomer among the myriad types encompassed by Formula 5 of the Japanese reference.

In the Office Action claims 1-18 have been provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-9 of copending application No. 10/491,690 in view of Japanese Patent No. 2001-302879 (Japanese ' 879).

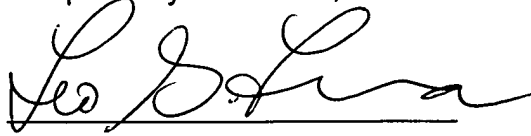
In an effort to advance prosecution of the present application, attached please find an executed Terminal Disclaimer. A check including the amount of \$130, the fee for the Terminal Disclaimer, is also being submitted. Accordingly, it is respectfully requested that the provisional rejection of claims 1-18 on the grounds of non-statutory obviousness-type double patenting be withdrawn.

In the Office Action, claims 1-18 have also been provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of copending application No. 10/557,812 in view of Japanese Patent No. 2001-302879 (Japanese ' 879).

In an effort to advance prosecution of the present application, attached please find an executed Terminal Disclaimer and a check including the fee of \$130 for the second Terminal Disclaimer. Accordingly, it is respectfully requested that the provisional rejection of claims 1-18 on the grounds of non-statutory obviousness-type double patenting be withdrawn.

In view of the foregoing, Applicants respectfully submit that all of the present claims are in condition for allowance and therefore favorable action on the merits and allowance of all claims is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leo G. Lenna", written over a horizontal line.

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